

3

(SPACE BELOW FOR FILING STAMP ONLY)

RICHARD C. WATTERS, ESQ. - 060162  
AIDA S. MACEDO, ESQ. - 294632  
LAW OFFICES OF  
MILES, SEARS & EANNI  
A PROFESSIONAL CORPORATION  
2844 FRESNO STREET  
P.O. BOX 1432  
FRESNO, CALIFORNIA 93716  
TELEPHONE (559) 486-5200

Attorneys for Plaintiffs

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

\*\*\*

In re

) NO. 17-13797

TULARE LOCAL HEALTHCARE  
DISTRICT dba TULARE  
REGIONAL MEDICAL CENTER,

) Chapter 9  
) DCN: ASM-1

Debtor.

) **NOTICE OF MOTION FOR  
RELIEF FROM AUTOMATIC STAY  
UNDER 11 U.S.C. §362 (WITH  
SUPPORTING DECLARATIONS)**

Tax ID#: 94-6002897  
Address: 869 N. Cherry Street  
Tulare, CA 93274

) Date: November 15, 2017  
) Time: 1:30 p.m.  
) Place: 2500 Tulare St.  
) 5<sup>th</sup> Flr.  
) Fresno, CA 93721  
) Ctrm: 13  
) Dept: B  
) Judge: Rene Lastreto II

**Movants:** THOMAS J. GRIESBACH; AMY S. FERREIRA; MATTHEW J. GRIESBACH

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on November 15, 2017 at 1:30 p.m., or  
as soon thereafter as the matter can be heard, in Courtroom 13,  
Department B of the above-entitled court, THOMAS J. GRIESBACH; AMY

1 S. FERREIRA; MATTHEW J. GRIESBACH, collectively the "Movants" in  
2 the above-captioned matter, will seek an order from the Court for  
3 relief from the automatic stay as to the Debtor on the grounds set  
4 forth in the accompanying motion.

5 Opposition, if any, to the granting of the Motion shall be in  
6 writing and shall be served and filed with the Court by the  
7 responding party at least fourteen (14) calendar days preceding the  
8 date or continued date of the hearing. Opposition shall be  
9 accompanied by the evidence establishing its factual allegations.  
10 Without good cause, no party shall be heard in opposition to the  
11 Motion at oral argument if written opposition to the Motion has not  
12 been timely filed. Failure of the responding party to timely file  
13 written opposition may be deemed a waiver of any opposition to the  
14 granting of the Motion or may result in the imposition of  
15 sanctions.

16 The opposition shall specify whether the responding party  
17 consents to the Court's resolution of disputed material factual  
18 issues pursuant to Fed.R.Civ.P. 43(c) as made applicable by Fed. R.  
19 Bankr.P. 9017. If the responding party does not so consent, the  
20 opposition shall include a separate statement identifying each  
21 disputed material factual issue. The separate statement shall  
22 enumerate discretely each of the disputed material factual issues  
23 and cite the particular portions of the record demonstrating a  
24 factual issue is both material and in dispute. Failure to file the  
25 separate statement shall be construed as consent to resolution of  
26 the motion and all disputed material factual issues pursuant to  
27 Fed.R.Civ.P. 43(c).

28 A responding party who has no opposition to granting of the

1 Motion may serve and file a statement to that effect, specifically  
2 designating the Motion in question. Without good cause, no party  
3 will be heard in opposition to the Motion at oral argument if  
4 written opposition to the Motion has not been timely filed.

5 The failure to file timely written opposition may result in  
6 the Motion being resolved without oral argument and the striking of  
7 untimely written opposition.

8 The moving party may, at least seven (7) calendar days prior  
9 to the date of the hearing serve and file with the Court a written  
10 reply to any written opposition filed by a responding party.

11 DATED: October 12, 2017

12 MILES, SEARS & EANNI

13  
14 BY: 

15 AIDA S. MACEDO

16 Attorneys for Plaintiffs  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28